

failed to comply with any of their obligations under such convention with respect to applications for the return of children, access to children, or both, submitted by applicants in the United States.

(3) A list of the countries that have demonstrated a pattern of noncompliance with the obligations of the Convention with respect to applications for the return of children, access to children, or both, submitted by applicants in the United States to the Central Authority for the United States.

(4) Detailed information on each unresolved case described in paragraph (1) and on actions taken by the Department of State to resolve each such case, including the specific actions taken by the United States chief of mission in the country to which the child is alleged to have been abducted.

(5) Information on efforts by the Department of State to encourage other countries to become signatories of the Convention.

(6) A list of the countries that are parties to the Convention in which, during the reporting period, parents who have been left-behind in the United States have not been able to secure prompt enforcement of a final return or access order under a Hague proceeding, of a United States custody, access, or visitation order, or of an access or visitation order by authorities in the country concerned, due to the absence of a prompt and effective method for enforcement of civil court orders, the absence of a doctrine of comity, or other factors.

(7) A description of the efforts of the Secretary of State to encourage the parties to the Convention to facilitate the work of non-governmental organizations within their countries that assist parents seeking the return of children under the Convention.

(b) Definition

In this section, the term “Central Authority for the United States” has the meaning given the term in Article 6 of the Convention on the Civil Aspects of International Child Abduction, done at The Hague on October 25, 1980.

(Pub. L. 105-277, div. G, title XXVIII, § 2803, Oct. 21, 1998, 112 Stat. 2681-846; Pub. L. 106-113, div. B, § 1000(a)(7) [div. A, title II, § 202], Nov. 29, 1999, 113 Stat. 1536, 1501A-420; Pub. L. 107-228, div. A, title II, § 212, Sept. 30, 2002, 116 Stat. 1365.)

CODIFICATION

Section was enacted as part of the Foreign Relations Authorization Act, Fiscal Years 1998 and 1999, and also as part of the Foreign Affairs Reform and Restructuring Act of 1998 and the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999, and not as part of the International Child Abduction Remedies Act which comprises this chapter.

Section was formerly set out as a note under section 11601 of this title.

AMENDMENTS

2002—Subsec. (a). Pub. L. 107-228 struck out “during the period ending September 30, 2001” after “every 12 months thereafter” in introductory provisions.

1999—Subsec. (a). Pub. L. 106-113, § 1000(a)(7) [div. A, title II, § 202(1)], substituted “2001,” for “1999,” in first sentence of introductory provisions.

Subsec. (a)(1). Pub. L. 106-113, § 1000(a)(7) [div. A, title II, § 202(2)], substituted “applicants in the United States” for “United States citizens”.

Subsec. (a)(2). Pub. L. 106-113, § 1000(a)(7) [div. A, title II, § 202(3)], substituted “abducted, are being wrongfully retained in violation of United States court orders, or which have failed to comply with any of their obligations under such convention with respect to applications for the return of children, access to children, or both, submitted by applicants in the United States” for “abducted”.

Subsec. (a)(3). Pub. L. 106-113, § 1000(a)(7) [div. A, title II, § 202(4)], substituted “children, access to children, or both,” for “children” and “applicants in the United States” for “United States citizens”.

Subsec. (a)(4). Pub. L. 106-113, § 1000(a)(7) [div. A, title II, § 202(5)], inserted “, including the specific actions taken by the United States chief of mission in the country to which the child is alleged to have been abducted” before period at end.

Subsec. (a)(6), (7). Pub. L. 106-113, § 1000(a)(7) [div. A, title II, § 202(6)], added pars. (6) and (7).

CHAPTER 122—NATIVE HAWAIIAN HEALTH CARE

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§ 11701. Findings

The Congress finds that:

(1) Native Hawaiians comprise a distinct and unique indigenous people with a historical continuity to the original inhabitants of the Hawaiian archipelago whose society was organized as a Nation prior to the arrival of the first nonindigenous people in 1778.

(2) The Native Hawaiian people are determined to preserve, develop and transmit to future generations their ancestral territory, and their cultural identity in accordance with their own spiritual and traditional beliefs, customs, practices, language, and social institutions.

(3) The constitution and statutes of the State of Hawaii:

(A) acknowledge the distinct land rights of Native Hawaiian people as beneficiaries of the public lands trust; and

(B) reaffirm and protect the unique right of the Native Hawaiian people to practice and perpetuate their cultural and religious customs, beliefs, practices, and language.

(4) At the time of the arrival of the first non-indigenous people in Hawaii in 1778, the Native Hawaiian people lived in a highly organized, self-sufficient, subsistence social system based on communal land tenure with a sophisticated language, culture, and religion.

(5) A unified monarchical government of the Hawaiian Islands was established in 1810 under Kamehameha I, the first King of Hawaii.

(6) Throughout the 19th century and until 1893, the United States: (A) recognized the